

REMARKS

Applicant respectfully requests reconsideration of the present application in view of the reasons that follow.

A detailed listing of all claims that are, or were, in the application, irrespective of whether the claim(s) remain under examination in the application, is presented, with an appropriate defined status identifier.

Claims 1-14 were and remain pending in this application.

In the Office Action, claims 1, 13 and 14 have been rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Bowman-Amuah (U.S. Patent No. 6,697,824) in view of Beckmann et al. (US Pub. 2002/0073088) and Richards (U.S. Patent No. 6,408,303). For at least the reasons set forth herein, this rejection is overcome.

The Office Action correctly asserts, on page 3, that Bowman-Amuah does not disclose various elements of the claimed invention, such as: retrieving a template associated with the inbound document; reading the template to determine what data is to be extracted from the inbound document and extracting said data; and creating a profile record for the trading partner in the profile database and populating said profile record with said extracted data. These claim elements are recited in all of the independent claims 1, 11 and 14 from which the remaining claims in the present application depend.

The Office Action then asserts that Beckmann et al. disclose the above recited features of the claims. Applicant respectfully disagrees. Indeed, Beckmann et al. does describe the use of "templates" and discloses a template database. However, the "templates" described in Beckmann et al. are "Web Page Templates that convey the desired image of the Interface Service." They "relate to the look and feel of the users personalized interface[.]" See paragraphs 0075 and 0076. This does not relate to the templates of the present invention, which are based on the information contained in associated documents and are used to determine what information to extract.

Furthermore, there is no disclosure, teaching or suggestion in Beckmann et al. of retrieving a template associated with the inbound document, as is required by the present claims. Nor is there any disclosure, teaching or suggestion of reading the template (associated with an inbound document) to determine what data is to be extracted from the document, much less of performing the extraction of data *based on* such determination.

For at least this reason, the rejection under 35 U.S.C. § 103(a) of claims 1, 13 and 14 should be reconsidered and withdrawn.

Also in the Office Action, claims 2-12 were rejected under 35 U.S.C. § 103(a) as being allegedly unpatentable in view of the rejection as applied to claim 1 in further view of various combinations of additional references. Claims 2-10 depend directly or indirectly from claim 1, claim 11 contains the same elements as claim 1 described above and claim 12 depends from claim 11. Accordingly, in view of the deficiencies of the Beckmann et al. reference as set forth above, the rejection of claims 2-12 should also be reconsidered and withdrawn.

Furthermore, Applicant notes that the rejection of many of the dependent claims, and specifically claims 6 and 9-12 involve the combination of five or more references. In the case of claim 12, the rejection requires the combination of nine separate prior art references. While the mere number of references used is not dispositive in determining whether a rejection should stand, in this case, the Office Action also does not identify any disclosure from any of the references that would suggest the desirability of the combinations created in the Office Action. Instead, it relies upon conclusory statements, such as “[t]he motivation to combine these references is to improve the efficiency and effectiveness of the invention’s standardized messaging function.” It is rare to be presented with better examples of “hindsight reconstruction” and for the impermissible use of an Applicant’s own invention as a road map for a combination of references to support a rejection under 35 U.S.C. § 103. See MPEP 2143.01. For at least this reason, Applicant respectfully requests the

rejection of claims 6 and 9-12 under 35 U.S.C. § 103(a) be reconsidered and withdrawn as not establishing *prima facie* obviousness.

Applicant believes that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

Date FEBRUARY 15, 2005

By 

FOLEY & LARDNER LLP
Washington Harbour
3000 K Street, N.W., Suite 500
Washington, D.C. 20007-5143
Telephone: (202) 672-5485
Facsimile: (202) 672-5399

William T. Ellis
Registration No. 26,874

Ankur D. Shah
Registration No. 41,514